

GAU 2761
2/61



Docket No. 3553-4047

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Jay S. Walker, et al.

Group Art Unit: 2761

Serial No.: 09/220,191

Examiner: TBA

Filed: December 23, 1998

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SEP 07 2001
Group 2100

For: METHOD AND APPARATUS FOR FACILITATING A TRANSACTION BETWEEN
A BUYER AND ONE SELLER

CERTIFICATE OF MAILING (37 C.F.R. 1.8a)

Commissioner for Patents
Washington, D.C. 20231

Sir:

I hereby certify that the attached

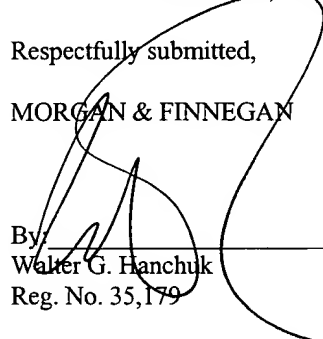
1. Response to Restriction Requirement
2. Certificate of Mailing
3. Return postcard

(along with any paper(s) referred to as being attached or enclosed); and this Certificate of Mailing are being deposited with the United States Postal Service on the date shown below with sufficient postage as first-class mail in an envelope addressed to the: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Respectfully submitted,

MORGAN & FINNEGAN

Dated: August 30, 2001

By: 
Walter G. Hanchuk
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RESPONSE TO RESTRICTION REQUIREMENT

I. The Examiner's Restriction Requirement

In response to Examiner's restriction requirement dated February 23, 2001, the Examiner has required restriction to one of the following patentably distinct groups of claims under 35 U.S.C. § 121:

Group I	-----	Claims 1-38
Group II	-----	Claims 39-57

II. Applicants' Election

Applicants elect to pursue prosecution of Group I, claims 1-38.

This election is made with traverse. Applicants respectfully submit that for a restriction requirement to be proper, "[t]here must be a serious burden on the examiner if restriction is not required." M.P.E.P. §803. Applicant respectfully submits that (1) the two groups of restricted claims are properly presented in the same application; (2) undue diverse searching should not be required; and (3) all claims should be examined together. Applicants respectfully submit that there would be no undue burden on the Examiner to search and examine both groups together. Applicants respectfully request that the Examiner review the two groups of claims in determining the similar search and examination requirements of the two groups. For the foregoing reasons, it is respectfully submitted that the restriction requirement should be withdrawn and an action on the merits of all the claims is respectfully solicited.



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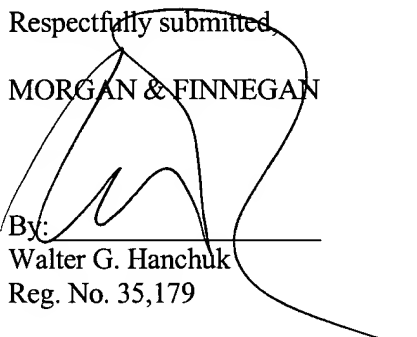
In the event that a telephone conference would facilitate examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

Applicants submit that no fee and no petition for an extension of time are required for filing this Response. However, the Commissioner is hereby authorized to charge any fees which may be required to Deposit Account 13-4500, order no. 3553-4047. Any extension of time which may be required is hereby petitioned. A duplicate of this sheet is attached.

Respectfully submitted,

MORGAN & FINNEGAN

Dated: August 30, 2001

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